

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent of: Ashok Balakrishnan et al.
Patent No.: 7,420,734 B2
Issued: September 2, 2008
Confirmation No.: 2675
For: PLANAR WAVEGUIDE GRATING DEVICES HAVING
CONTROLLED POLARIZATION DEPENDENT SENSITIVITY
AND METHOD OF MANUFACTURING THEREOF

November 5, 2009

REQUEST FOR EXPEDITED ISSUANCE
OF CERTIFICATE OF CORRECTION UNDER 37 CFR 1.322

TO THE COMMISSIONER FOR PATENTS,

SIR:

On studying the above-identified patent, the following error, apparently made by the Patent and Trademark Office, was found (the error is also noted on the attached form PTO/SB/44):

On the front cover of the patent, Section 75, Inventors:

"Muthukumaran Packirisamy, Dorvai (CA)"

should read

- - - Muthukumaran Packirisamy, Dorval (CA) - - -.

REMARKS

In accordance with 37 CFR 1.322, a copy of the Declaration and Power of Attorney filed September 14, 2005, a copy of the Assignment recorded May 15, 2006, a copy of the Notice of Allowance dated May 5, 2008, and a copy of the Issue Fee Transmittal dated July 31, 2008, are attached.

We respectfully request that a certificate of correction be issued.

Respectfully submitted,

/paul fleischut/

Paul I. J. Fleischut, Reg. No. 35,513
SENNIGER POWERS LLP
100 North Broadway, 17th Floor
St. Louis, Missouri 63102
(314) 231-5400

PIF/clp
*Enclosures



Rec'd PCT/PTO 14 SEP 2005
10/526096

PTO/SB/01 (09-04)
Approved for use through 07/31/2006. OMB 0551-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing
OR
☒ Declaration Submitted after Initial Filing (surcharge)
(37 CFR 1.16(e))

Attorney Docket Number	SMBO 6485
First Named Inventor	Ashok Balakrishnan, et al
COMPLETE IF KNOWN	
Application Number	10/526,096
Filing Date	February 25, 2005
Art Unit	
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PLANAR WAVEGUIDE GRATING DEVICES HAVING CONTROLLED POLARIZATION DEPENDENT SENSITIVITY AND METHOD OF MANUFACTURING THEREOF

the specification of which

(Title of the Invention)

☐ is attached hereto
OR

☒ was filed on (MM/DD/YYYY) August 26, 2003 as United States Application Number or PCT International

Application Number PCT/CA2003/001300 and was amended on (MM/DD/YYYY) _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
		YES	NO
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/01 (09-04)

Approved for use through 07/31/2006. CMB 0301-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer 000321 OR <input type="checkbox"/> Correspondence address below	
Name	
Address	
City	State ZIP
Country	Telephone Fax
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>	
NAME OF SOLE OR FIRST INVENTOR : <input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Ashok	Family Name or Surname Balakrishnan
Inventor's Signature <i>Ashok Balakrishnan</i>	Date <i>Feb. 24, 2005</i>
Residence: City Kanata	State Ontario
Country Canada	Citizenship CANADIAN
Mailing Address 67 Tiffany Place	
City Kanata	State Ontario
ZIP K2K 1W5	Country Canada
NAME OF SECOND INVENTOR: <input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Kakou	Family Name or Surname Dassou
Inventor's Signature	Date
Residence: City Newton	State NSW
Country Australia	Citizenship CANADIAN
Mailing Address 42 Cowrie Street	
City Newton	State NSW
ZIP 2042	Country Australia
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on <u>1</u> supplemental sheet(s) PTO/SB/02A or 02LR are attached	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer		000321		OR <input type="checkbox"/> Correspondence address below	
Name					
Address					
City			State		ZIP
Country		Telephone		Fax	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
NAME OF SOLE OR FIRST INVENTOR :			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any)) Ashok			Family Name or Surname Balakrishnan		
Inventor's Signature				Date	
Residence: City Kanata		State Ontario		Country Canada	
Mailing Address 67 Tiffany Place					
City Kanata		State Ontario		Country Canada	
NAME OF SECOND INVENTOR:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any)) Nokou			Family Name or Surname Dossou		
Inventor's Signature <i>Dossou</i>				Date 25 Feb 2005	
Residence: City Newton		State NSW		Country Australia	
Mailing Address 42 Gowrie Street					
City Newton		State NSW		Country Australia	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on <u>1</u> supplemental sheet(s) PTO/SB/02A or 02LR are attached					

Due Code:

PTO/SB-03A (09-04)
Applicable for use through 07/01/2005 - OMB 0551-0032

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION

ADDITIONAL INVENTOR(S)
Supplemental SheetPage 3 of 3

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Mubukumar		Packirisamy	
Inventor's Signature <i>P. N. Mubukumar</i>		Date 24 Feb/2005	
Residence: City	Durval	State	Quebec
		Country	Canada
Mailing Address		Citizenship	
570 rue Avila-Legault		CANADIAN	
City	Durval	State	Quebec
		ZIP	H9P 2X4
		Country	Canada
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Mailing Address		Citizenship	
City		State	
		ZIP	
		Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
Mailing Address		Citizenship	
City		State	
		ZIP	
		Country	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 15, 2006

PTAS

500103991APAUL I. J. FLEISCHUT
ONE METROPOLITAN SQUARE
16TH FLOOR
ST. LOUIS, MO 63102

500103991A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 05/15/2006

REEL/FRAME: 017615/0225
NUMBER OF PAGES: 6BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: SMBO 6485

ASSIGNOR:

✓ PACKIRISAMY, MUTHUKUMARAN

DOC DATE: 08/10/2005

ASSIGNOR:

✓ BALAKRISHNAN, ASHOK

DOC DATE: 08/15/2005

ASSIGNOR:

✓ HIPPOLA, KARUNARATNE

DOC DATE: 08/19/2005

ASSIGNEE:

✓ CONCORDIA UNIVERSITY
OFFICE OF RESEARCH
1455 DE MAISONNEUVE W., GM 1000
MONTREAL, QUEBEC, CANADA H3G 1M8

017615/0225 PAGE 2

SERIAL NUMBER: 10526096 ✓

FILING DATE: 09/14/2005 ✓

PATENT NUMBER:

ISSUE DATE:

TITLE: PLANAR WAVEGUIDE GRATING DEVICES HAVING CONTROLLED POLARIZATION
DEPENDENT SENSITIVITY AND METHOD OF MANUFACTURING THEREOF ✓

KIMBERLY WHITE, EXAMINER
ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

05/15/2006
500103991

SUBMISSION TYPE:	NEW ASSIGNMENT												
NATURE OF CONVEYANCE:	ASSIGNMENT												
CONVEYING PARTY DATA													
<table border="1"><thead><tr><th>Name</th><th>Execution Date</th></tr></thead><tbody><tr><td>Muthukumeran Packirisamy</td><td>08/10/2005</td></tr><tr><td>Ashok Balakrishnan</td><td>08/15/2005</td></tr><tr><td>Karuneratne Hippole</td><td>08/19/2005</td></tr></tbody></table>		Name	Execution Date	Muthukumeran Packirisamy	08/10/2005	Ashok Balakrishnan	08/15/2005	Karuneratne Hippole	08/19/2005				
Name	Execution Date												
Muthukumeran Packirisamy	08/10/2005												
Ashok Balakrishnan	08/15/2005												
Karuneratne Hippole	08/19/2005												
RECEIVING PARTY DATA													
<table border="1"><tr><td>Name:</td><td>Concordia University</td></tr><tr><td>Street Address:</td><td>Office of Research</td></tr><tr><td>Internal Address:</td><td>1455 de Maisonneuve W., GM 1000</td></tr><tr><td>City:</td><td>Montreal, Quebec</td></tr><tr><td>State/Country:</td><td>CANADA</td></tr><tr><td>Postal Code:</td><td>H3G 1M8</td></tr></table>		Name:	Concordia University	Street Address:	Office of Research	Internal Address:	1455 de Maisonneuve W., GM 1000	City:	Montreal, Quebec	State/Country:	CANADA	Postal Code:	H3G 1M8
Name:	Concordia University												
Street Address:	Office of Research												
Internal Address:	1455 de Maisonneuve W., GM 1000												
City:	Montreal, Quebec												
State/Country:	CANADA												
Postal Code:	H3G 1M8												
PROPERTY NUMBERS Total: 1													
<table border="1"><thead><tr><th>Property Type</th><th>Number</th></tr></thead><tbody><tr><td>Application Number:</td><td>10526096</td></tr></tbody></table>		Property Type	Number	Application Number:	10526096								
Property Type	Number												
Application Number:	10526096												
CORRESPONDENCE DATA													
Fax Number:	(314)231-4342												
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>													
Phone:	314-231-5400												
Email:	uspatents@senniger.com												
Correspondent Name:	Paul I. J. Fleischut												
Address Line 1:	One Metropolitan Square												
Address Line 2:	16th Floor												
Address Line 4:	St. Louis, MISSOURI 63102												
ATTORNEY DOCKET NUMBER:	SMBO 6485												
NAME OF SUBMITTER:	Paul I. J. Fleischut												

CH \$40.00 10526096

Total Attachments: 4

source=00190852#page1.tif

source=00190852#page2.tif

source=00190852#page3.tif

source=00190852#page4.tif

ASSIGNMENT AND DISTRIBUTION OF REVENUES AGREEMENT

BETWEEN: Concordia University
Office of Research
1455 de Maisonneuve W., GM 1000
Montréal, QC H3G 1M8

(the “**University**”)

AND: Muthukumaran Packirisamy
570 rue Avila Legault
Dorval, Quebec
H9P 2X4

Ashok Balakrishnan
67 Tiffany Place
Kanata, Ontario
K2K 1W5

Kokou Dossou
42 Gowrie Street
Newtown NSW 2042
Australia

(together, the “**Inventors**”)

Karunaratne B. Hippola
123 Sapphire
Navan, Ontario
K4B 1J9

(together with Dr. Muthukumaran Packirisamy and Ashok Balakrishnan, the “**Assignors**”)

WHEREAS the Inventors produced an invention entitled “Planar Waveguide Grating Devices Having Controlled Polarization Dependent Sensitivity and Method of Manufacturing Thereof” (the “**Invention**”);

WHEREAS one of the Inventors, namely Kokou Dossou, assigned his rights, title and interests in the Invention to Karunaratne B. Hippola further to an assignment dated July 16, 2002 (as attached in Appendix A of this agreement);

WHEREAS the Assignors have filed a provisional patent application with the United States Patent and Trademark Office dated August 26, 2002;

WHEREAS the University has submitted the Invention to its commercialization partner Gestion Valeo ("Valeo");

WHEREAS Valeo has declared an interest in maintaining and pursuing the patent application relating to the Invention; and

WHEREAS the Assignors wish to have the Invention commercialized through the University by Valeo or the University as the case may be.

NOW, THEREFORE, the Assignors, Kokou Dossou and the University agree as follows:

The Assignors confirm that they have exclusive rights, title and interests in and to the Invention, and that, to the best of their knowledge, the Invention does not infringe on the rights of third parties. The Assignors also confirm that they have not made any agreement with a third party, whether verbally or in writing, which would be inconsistent with the terms of this agreement and consent to having the University or Valeo, conduct appropriate due diligence.

The Assignors hereby assign to the University all their rights, title and interest in and to the Invention and to any patent application and any patent which may issue from these in Canada and in any other country.

Notwithstanding this agreement, the Assignors shall retain the right to use the Invention for non-commercial teaching and research purposes.

The University hereby agrees to evaluate the commercial potential of the Invention but does not guarantee that it will pursue patenting or commercialisation of the Invention, and that if it pursues such activity, that it will be successful in commercialising the Invention.

The evaluation, patenting and commercialisation shall be done directly by the University or indirectly through Valeo.

Should the University or Valeo agree to pursue patenting and commercialisation of the Invention, the Assignors shall:

- a) execute all the forms and papers which may be necessary for the filing, processing, prosecuting and maintenance of such patents and any other document reasonably necessary that the University may require in order to confirm or give full effect to this agreement; and

- b) assist the University in commercialising the Invention, for example, by suggesting names of potential licensees and discussing the technical aspects of the Invention with any potential licensee that may show interest in obtaining license rights to the Invention.

If it is decided, between the University and Valeo, that Valeo shall be responsible for commercialisation and Valeo successfully commercialises the Invention, all revenues resulting from the commercialisation of the Invention shall be paid to Valorbec s.e.c. ("Valorbec"), the University's commercialisation company. 5% of that amount shall be paid by VALORBEC to Valeo and the remaining 95% shall be distributed, once a year, between the University and the Assignors, as follows:

70% to the Assignors

(to be divided as follows between them:

17.5 % for Muthukumaran Packirisamy
17.5 % for Ashok Balakrishnan
17.5% for Karunaratne B. Hippola
17.5% for Kokou Dossou)

30% to the University.

If the University, acting independently, successfully commercialises the Invention, all net revenues, after having deducted the costs of patent filing, prosecution and maintenance (including patent agent and lawyer costs) and any other relevant expenses incurred by the University in patenting the Invention, shall be distributed, once a year, as follows:

70% to the Assignors

(to be divided as follows between them:

17.5 % for Muthukumaran Packirisamy
17.5 % for Ashok Balakrishnan
17.5% for Karunaratne B. Hippola
17.5% for Kokou Dossou)

30% to the University.

For the avoidance of doubt, should the commercialisation of the Invention lead to the creation of a spin-off company (the "**Company**"), the University and the Assignors shall negotiate their respective participations in the Company, taking into account, amongst other things, the terms of this agreement, the amount of any development funds made available and the relevant mechanism through which it is repaid, the participation of third parties and the set up of the Company.

The terms herein stipulated may not be modified in any way without the mutual consent of the parties in writing.

This agreement is drawn up in English at the request of the parties. Les parties aux présentes ont expressément convenu que ce contrat soit rédigé en anglais.



Muthukumaran Packirisamy

10 August, 2005

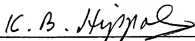
Date



Ashok Balakrishnan

Aug. 15, 2005

Date



Karunaratne B. Hippola

19th Aug 2005

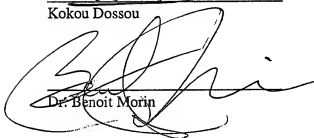
Date



Kokou Dossou

1st Aug. 2005

Date



Dr. Benoit Morin

Aug 31st 2005

Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

321 7590 05/05/2008

SENNIGER POWERS LLP
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

EXAMINER

AMARI, ALESSANDRO V

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 05/05/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,096	09/14/2005	Ashok Balakrishnan	SMB06485	2675

TITLE OF INVENTION: PLANAR WAVEGUIDE GRATING DEVICES HAVING CONTROLLED POLARIZATION DEPENDENT SENSITIVITY AND METHOD OF MANUFACTURING THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	08/05/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

321 7590 05/05/2008

SENNIGER POWERS LLP
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/526,096 09/14/2005

Ashok Balakrishnan

SMH06485

2675

TITLE OF INVENTION: PLANAR WAVEGUIDE GRATING DEVICES HAVING CONTROLLED POLARIZATION DEPENDENT SENSITIVITY AND METHOD OF MANUFACTURING THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	08/05/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
AMARI, ALESSANDRO V	2872	359-569000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/526,096

09/14/2005

Ashok Balakrishnan

SMBO6485

2675

321

7590

05/05/2008

EXAMINER

AMARI, ALESSANDRO V

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 05/05/2008

SENNIGER POWERS LLP
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 157 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 157 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/526,096

Examiner

ALESSANDRO AMARI

Applicant(s)

BALAKRISHNAN ET AL.

Art Unit

2872

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amdt of 2/1/2008.
2. ☒ The allowed claim(s) is/are 1,2,5,11,12,14-18,21-27,36 and 37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Drawings

1. The drawings for Figures 12C and 12D were received on 01 February 2008. These drawings are accepted.

REASONS FOR ALLOWANCE

2. Claims 1, 2, 5, 11, 12, 14-18, 21-27, 36 and 37 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Claims 1, 15, 23 and 27 are allowable for the reasons provided in the previous office action of 01 October 2007. Claims 2, 5, 11, 12, 14, 17, 18, 21, 22, 24-26, 36 and 37 are allowable due to their dependence on claim 1 and claim 16 is allowable due to its dependence on claim 15.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALESSANDRO AMARI whose telephone number is (571)272-2306. The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM.

Art Unit: 2872

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone B. Allen can be reached on (571) 272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ava
30 April 2008

/Alessandro Amari/
Primary Examiner, Art Unit 2872

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450**
or **Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notification.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

321 7590 05/05/2008

SENNIGER POWERS LLP
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (371) 273-2885, on the date indicated below.

Gina G. Barron (Depositor's name)
Gina G. Barron (Signature)
July 31, 2008 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/526,096 09/14/2005 Ashok Balakrishnan SMB06485 2675

TITLE OF INVENTION: PLANAR WAVEGUIDE GRATING DEVICES HAVING CONTROLLED POLARIZATION DEPENDENT SENSITIVITY AND METHOD OF MANUFACTURING THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
-------------	--------------	---------------	---------------------	----------------------	------------------	----------

nonprovisional NO \$1440 \$300 \$0 \$1740 08/05/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
----------	----------	----------------

AMARI, ALESSANDRO V 2872 359-569000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Senniger Powers LLP

2. _____

3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Valorbec Societe En Commandite

Montreal, Quebec, Canada

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 19-1345 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ A. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ B. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Paul I. J. Fleischut
Paul I. J. Fleischut

Date

30 July 08
35,513

Typed or printed name

Registration No.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.